Flaws in the Juvenile Justice Act

1317. SHRI K. KALAVENKATA RAO:

SHRIMATI VANGA GEETHA:

Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether Section 41(6) of the Juvenil Justice Act was detrimental to the interest of millions of children who could be exploited in the guise of adoption; and

(b) if so, the steps taken to correct flaws in the Act by omitting vague provisions?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI SATYABRATA MOOKHERJEE): (a) No, Sir.

(b) Does not arise.

Stringent Laws against Child Rape

1318. SHRI PRASANTA CHATTERJEE: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether Government are aware that the incidents of rape, particularly child rape, are rising at an alarming rate in the country;

(b) if so, Government's reaction thereto; and

(c) whether Government propose to come up with more stringent laws and also create public opinion against culprits found guilty of rape charges?

THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI SATYABRATA MOOKHERJEE): (a) No, Sir. The All India incidents of rape in the last three years are as follows:–

1999–15,468

2000–16,496

2001–15,264

Jan-June 2002-7,483

(b) and (c) Section 376 of India Penal Code, 1860 provides punishment for rape including child rape ranging from a minimum of seven years to life imprisonment with fine. However, the Court may, for adequate and special reasons to be mentioned in the judgment impose sentence of imprisonment for a term less than seven years. The Law Commission of India, in its 172nd Report, has recommended changes for widening the scope of offence in Section 375 of the Indian Penal Code, 1860 and to make it gender neutral. Various other changes have been recommended in Section 376, 376A to